

RECEIVED  
CENTRAL FAX CENTER

DEC 08 2004

AMY J. PATTILLO, *Patent Attorney*  
P.O. Box 161327 - AUSTIN, TEXAS 78716  
PHONE# 512-402-9820 FAX # 512-306-0417

DATE: 12/8/2004Number of Pages to Follow (including cover sheet) **5**

SEND TO: United States Patent Office

Examiner: Marie C. Ubiles

Group Art Unit: 2642

Tel No: 703-305-0684

Fax #: 703-872-9306

FROM: Amy J. Pattillo

Tel No: 512-402-9820

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

Docket No. AUS92001945US1 Serial No. 10/005,680 Atty: AJPApplicant: BROWN ET AL

<input checked="" type="checkbox"/> Transmittal Letter (2 copies)	<input checked="" type="checkbox"/> Certificate of Facsimile
<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Notice of Appeal (2 copies)
<input type="checkbox"/> Amendment AF	<input type="checkbox"/> Appeal Brief (3 copies)
<input type="checkbox"/> Ext. of Time	<input type="checkbox"/> Reply Brief
<input type="checkbox"/> IDS Statement	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Other _____	

Deposit Acct. No. 09-0447

Fees: Amendment \_\_\_\_\_ Notice of Appeal \$330.00 Appeal Brief \_\_\_\_\_ Other \_\_\_\_\_

RECEIVED  
CENTRAL FAX CENTER  
DEC 08 2004


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brown et al.	: Before the Examiner:
Serial No.: 10/005,680	: Marie C. Ubiles
Confirmation Number: 9585	: Group Art Unit: 2642
Filed: 12/03/2001	: Intellectual Property Law Department
Title: HOLD QUEUE POSITION	: International Business Machines Corp.
PUBLICATION	: 11400 Burnet Road
	: Austin, Texas 78758

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 703-872-9306 on December 8, 2004.

Amy Pattillo

  
Signature

12/8/2004  
Date

TRANSMITTAL OF NOTICE OF APPEAL UNDER 37 CFR 1.191


Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Via Facsimile

Applicant hereby appeals from the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee of \$330.00 for submission of this Notice of Appeal to IBM Corporation Deposit Account No. 09-0447.

The commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to IBM Corporation Deposit Account No. 09-0447. A duplicate copy of this document is enclosed.

Respectfully submitted,

 on 12/8/2004

Amy J. Pattillo  
Attorney for Applicants  
Reg. No 46,983  
P.O. Box 161327  
Austin, Tx 78716  
512-402-9820 (phone)  
512-306-0417 (fax)

AUS920010945US1

1

10/005,680

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	: Before the Examiner:
Brown et al.	: Marie C. Ubiles
Serial No.: 10/005,680	: Group Art Unit: 2642
Confirmation Number: 9585	: Intellectual Property Law Department
Filed: 12/03/2001	: International Business Machines Corp.
Title: HOLD QUEUE POSITION	: 11400 Burnet Road
PUBLICATION	: Austin, Texas 78758


**NOTICE OF APPEAL from the Examiner to the Board of Patent Appeals and Interferences**

Mail Stop AF  
 Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
**Via Facsimile**

Dear Sir:

Under 37 CFR 1.191, Applicants hereby appeal to the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner. Specifically, the Examiner's Office Action, dated September 9, 2004, finally rejects claims 1, 2, 4-9, and 11-35. Applicants filed a response after final rejection dated November 9, 2004, including a declaration under 1.131. Applicants have not received an advisory action or other response to the response after final rejection, nor does the electronic PAIR indicate that an advisory action has been issued as of December 8, 2004. Thus, Applicants appeal the rejection of claims 1, 2, 4-9, and 11-35.

Respectfully submitted,

 on 12/8/2004

Amy J. Patillo  
 Attorney for Applicants  
 Reg. No 46,983  
 P.O. Box 161327  
 Austin, Tx 78716  
 512-402-9820 (phone)  
 512-306-0417 (fax)

AUS920010945US1

1

10/005,680


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brown et al. Serial No.: 10/005,680 Confirmation Number: 9585 Filed: 12/03/2001 Title: HOLD QUEUE POSITION PUBLICATION	: Before the Examiner: : Marie C. Ubiles : Group Art Unit: 2642 : Intellectual Property Law Department : International Business Machines Corp. : 11400 Burnet Road : Austin, Texas 78758
---	--

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 703-872-9306 on December 8, 2004.

Amy Pattillo

  
Signature

12/8/2004  
Date

TRANSMITTAL OF NOTICE OF APPEAL UNDER 37 CFR 1.191


Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Via Facsimile

Applicant hereby appeals from the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee of \$330.00 for submission of this Notice of Appeal to IBM Corporation Deposit Account No. 09-0447.

The commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to IBM Corporation Deposit Account No. 09-0447. A duplicate copy of this document is enclosed.

Respectfully submitted,

 on 12/8/2004

Amy J. Pattillo  
Attorney for Applicants  
Reg. No 46,983  
P.O. Box 161327  
Austin, Tx 78716  
512-402-9820 (phone)  
512-306-0417 (fax)

AUS920010945US1

1

10/005,680

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brown et al. Serial No.: 10/005,680 Confirmation Number: 9585 Filed: 12/03/2001 Title: HOLD QUEUE POSITION PUBLICATION	: Before the Examiner: : Marie C. Ubiles : Group Art Unit: 2642 : Intellectual Property Law Department : International Business Machines Corp. : 11400 Burnet Road : Austin, Texas 78758
---	--


**NOTICE OF APPEAL from the Examiner to the Board of Patent Appeals and Interferences**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Via Facsimile**

Dear Sir:

Under 37 CFR 1.191, Applicants hereby appeal to the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner. Specifically, the Examiner's Office Action, dated September 9, 2004, finally rejects claims 1, 2, 4-9, and 11-35. Applicants filed a response after final rejection dated November 9, 2004, including a declaration under 1.131. Applicants have not received an advisory action or other response to the response after final rejection, nor does the electronic PAIR indicate that an advisory action has been issued as of December 8, 2004. Thus, Applicants appeal the rejection of claims 1, 2, 4-9, and 11-35.

Respectfully submitted,

 on 12/8/2004  
Amy J. Pattillo  
Attorney for Applicants  
Reg. No 46,983  
P.O. Box 161327  
Austin, Tx 78716  
512-402-9820 (phone)  
512-306-0417 (fax)

AUS920010945US1

1

10/005,680